

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CITAK & CITAK, DONALD CITAK and
BURTON CITAK,

Civil Action No. 07 CIV 5459

Plaintiffs,

NOTICE OF MOTION

-against-

THE ST. PAUL TRAVELERS COMPANIES,
INC. a/k/a ST. PAUL FIRE AND MARINE
INSURANCE COMPANY,

PLEASE TAKE NOTICE that upon the Declaration of Jonathan R. Harwood, dated February 8, 2008, the exhibits annexed thereto, the accompanying memorandum of law and the prior pleadings and proceedings herein, defendants The St. Paul Travelers Companies, Inc. a/k/a St. Paul Fire and Marine Insurance Company will move this court on April 4, 2008, at 12:00 noon, before the Honorable William H. Pauley, III at the United States Federal Courthouse, 500 Pearl Street, New York, NY 10007, for an order dismissing plaintiff's complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, together with such other relief as this court deems appropriate.

Dated: February 8, 2008
Hawthorne, New York

TRAUB LIEBERMAN STRAUS &
SHREWSBERRY LLP

By: 

Jonathan R. Harwood (JH/9060)
Attorneys for Defendants
The St. Paul Travelers Companies, Inc. a/k/a
St. Paul Fire and Marine Insurance Company
Mid-Westchester Executive Park
Seven Skyline Drive
Hawthorne, New York 10532
(914) 347-2600

To: Peter Wessel, Esq.
Law Office of Peter Wessel, PLLC
270 Madison Avenue, Suite 1203
New York, New York 10016
Mineola, New York 11501

